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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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10/784,891

02/24/2004

Hirotohi Nemoto

107348-00393

9987

4372

7590

09/07/2006

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EXAMINER

EPPS, TODD MICHAEL

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|---------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/784,891 | NEMOTO ET AL. | |
| | Examiner | Art Unit | |
| | Todd M. Epps | 3632 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the third Office Action for serial number 10/784,891, Anti-Vibration Support System For Engine, filed February 24, 2004.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,422,546 B1 to Nemoto et al. (Nemoto) in view of U.S. Patent No. 6,406,010 to Yano et al. (Yano).

Nemoto discloses an elastic member (14), a liquid chamber (24), a movable member (20), an actuator (29), wherein the vibration of the engine is prevented from being transmitted to a vehicle body frame by controlling a supply of electric current (U) to actuator (29); an elastic member (14) is formed from rubber; the movable member (20) is vertically movable and includes a shaft portion extending into an actuator (29); an actuator (29) includes an outer shell defined by an actuator housing (30); a yoke (32) is fixed to a lower portion of an actuator housing (30), and a coil (34); a disk-shaped armature (38) is slidably supported on an inner peripheral surface of an actuator housing (30) and opposite an upper surface of a coil (34); a biasing member (42) is disposed between an armature (38) and a bobbin (33) around which coil (34) is wound

Art Unit: 3632

and biases an armature upward; a cylindrical slider (43) is slidably fitted a cylindrical portion of a yoke (32) and includes a boss (44) to which a shaft portion (20a) of a movable member (20); a cylindrical bearing (36) is slidably fitted between a cylindrical portion of a yoke (32) and a cylindrical slider (43); a coiled biasing member (41) is disposed between a cylindrical bearing (36) and a cylindrical slider (43), and a coiled biasing member biases a cylindrical bearing (36) and cylindrical slider (43) in respective opposite directions. However, Nemoto '546 discloses the previous invention failing to specifically teach wherein an active anti-vibration supporting device is prohibited when an abnormality in an operational state of the engine is detected. Nevertheless, Yano '010 discloses wherein the vibration supporting device is prohibited when an abnormality in an operational state of the engine is detected. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support system of Nemoto '546 with a sensor to detect an abnormality in an operational state of the engine as taught by Yano '010 wherein doing so would provide thereof to shut off the engine and to prevent further damaged to the engine when an abnormality of the engine is detected.

Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,422,546 B1 to Nemoto et al. (Nemoto) in view of U.S. Patent No. 6,406,010 to Yano et al. (Yano).

Art Unit: 3632

Nemoto discloses an elastic member (14), a liquid chamber (24), a movable member (20), an actuator (29), wherein the vibration of the engine is prevented from being transmitted to a vehicle body frame by controlling a supply of electric current (U) to actuator (29); an elastic member (14) is formed from rubber; the movable member (20) is vertically movable and includes a shaft portion extending into an actuator (29); an actuator (29) includes an outer shell defined by an actuator housing (30); a yoke (32) is fixed to a lower portion of an actuator housing (30), and a coil (34); a disk-shaped armature (38) is slidably supported on an inner peripheral surface of an actuator housing (30) and opposite an upper surface of a coil (34); a biasing member (42) is disposed between an armature (38) and a bobbin (33) around which coil (34) is wound and biases an armature upward; a cylindrical slider (43) is slidably fitted a cylindrical portion of a yoke (32) and includes a boss (44) to which a shaft portion (20a) of a movable member (20); a cylindrical bearing (36) is slidably fitted between a cylindrical portion of a yoke (32) and a cylindrical slider (43); a coiled biasing member (41) is disposed between a cylindrical bearing (36) and a cylindrical slider (43), and a coiled biasing member biases a cylindrical bearing (36) and cylindrical slider (43) in respective opposite directions. However, Nemoto '546 discloses the previous invention failing to specifically teach wherein a cylinder suspension of the engine is prohibited when an abnormality in an operational state of an active anti-vibration supporting device is detected. Nevertheless, Yano '010 discloses wherein the vibration supporting device is prohibited when an abnormality in an operational state of the engine is detected. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

Art Unit: 3632

invention was made to have modified the support system of Nemoto '546 with a sensor to detect an abnormality in an operational state of the engine as taught by Yano '010 wherein doing so would provide thereof to shut off the engine and to prevent further damaged to the engine when an abnormality of the cylinder suspension of the engine is detected.

Response to Arguments

Applicant's arguments filed April 19, 2006 with respect to claims 1-20 have been fully considered and are persuasive. The rejection of claims 1-20 has been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd M. Epps whose telephone number is 571-272-8282. The examiner can normally be reached on M-F (7:30-4:30).

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TME

Todd M. Epps
Patent Examiner
Art Unit 3632
August 31, 2006

AW

Joey Wujciak
Primary Examiner
Art Unit 3632